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APPLICATION NO.	FIL	ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,219	07/10/2003		Stephen Shuler	127039-2 2384	
7590 04/07/2004			EXAMINER		
Robert E. Walter				PATEL, KIRAN B	
GE Plastics One Plastics A	venue		ART UNIT	PAPER NUMBER	
Pittsfield, MA 01201				3612	_
			DATE MAILED: 04/07/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Examiner		Application No.	Applicant(s)						
First and B. Pate    3612		10/617,219	SHULER ET AL.						
The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION.  Educations for many by a evaluation of \$7 CPR 1.136(a). In no event, however, may a reply be timely flied  If the period for reply specified above is less banchisty period vill aging and vill reply specified above is less banchisty period vill aging and vill reply site (MONTH) from the maining date of this communication of this period for reply specified above is less banchisty period vill aging and vill reply site (MONTH) from the maining date of this communication is the period for reply specified above is less banchisty period vill aging and vill reply site (MONTH) from the maining date of the communication is more addition to increme ABANCONED (30 U.S.C. § 133).  Finally set the specification is in condition of a site of the communication is more addition to increme addition.  1) ② Responsive to communication(s) filled on 01 July 2003.  2a) □ This action is FINAL. 2b) ② This action is non-final.  3) □ Since this application is in condition of allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ② Claim(s) ½ is/are pending in the application.  4) ② Claim(s) ½ is/are allowed.  5) □ Claim(s) ∴ is/are allowed.  6) ② Claim(s) ∴ is/are allowed.  7) □ Claim(s) ∴ is/are objected to.  8) □ Claim(s) ∴ is/are objected to.  8) □ Claim(s) ∴ is/are objected to.  8) □ Claim(s) ∴ is/are objected to by the Examiner.  10) □ The drawing(s) flied on ∴ is/are: a) □ accepted or b) □ objected to by the Examiner.  Application Papers  9 □ The specification is objected to by the Examiner.  10) □ The drawing(s) flied on ∴ is/are: a) □ accepted or b □ objected to by the Examiner.  10) □ The drawing(s) flied on ∴ is/are: a) □ accepted or adamncy is objected to be seed to a claim	Office Action Summary	Examiner	Art Unit						
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the precisions of 37 CFR 1.35(s), in no event, however, may a reply be timely filed.  Extensions of time may be available under the precisions of 37 CFR 1.35(s), in no event, however, may a reply be timely filed.  Extensions of time may be available under the precisions of 37 CFR 1.35(s), in no event, however, may a reply be timely filed.  Extensions of the properties of the process of									
THE MAILING DATE OF THIS COMMUNICATION.  Extensions there may be willbe under the provision of 3 CPR 1.13(6). In no event, however, may a raphy be timely filled offer SX (6) MONTHS from the mailing date of this communication.  It NO parties for reply respectable under the provision of 3 CPR 1.13(6). In no event, however, may a raphy be timely filled offer SX (6) MONTHS from the mailing date of this communication.  It NO parties for reply respectable under the mailing date of this communication.  Fallute is reply veithin the best or a defined priority offer in the mailing date of this communication, even if timely filled, may reduce any example plant term explanations to the mailing date of this communication, even if timely filled, may reduce any example plant term explanations.  1 □ Responsive to communication(s) filled on 01 July 2003.  2a) □ This action is FINAL.  2b) □ This action is non-final.  3 □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4 □ Claim(s) 1-24 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5 □ Claim(s) 1-24 is/are pending in the application.  4a) Claim(s) 1-24 is/are rejected.  7 □ Claim(s) is/are allowed.  8 □ Claim(s) 1-24 is/are rejected.  7 □ Claim(s) is/are objected to.  8 □ Claim(s) 1-24 is/are objected to.  8 □ Claim(s) 1-24 is/are rejected.  7 □ The drawing(s) filed on is/are: a) accepted or b) □ objected to by the Examiner.  Application Papers  9 □ The precification is objected to by the Examiner.  10 □ The drawing(s) filed on is/are: a) accepted or b) □ objected to by the Examiner.  Application Papers  9 □ The drawing(s) filed on is/are: a) accepted or b) □ objected to by the Examiner.  Application Papers  10 □ The drawing(s) filed on is/are: a) accepted or b) □ objected to by the Examiner.  Application forward papers or by the provision of the prov									
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## DETAILED ACTION

Non-Final Rejection

Claim Rejections - 35 USC \$ 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 1. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (6,685,243) and in view of ordinary skill in the art.

Regarding claims 1-24, Evans (6,685,243) discloses in Fig 1-10 the invention as claimed to include an elongated, unitary structure energy absorber 22 having a crushable forward projecting portion/lobe; a vehicle; a support portion (Fig 2); a forwardly facing front wall, at least a pair of adjacent lobes having interconnecting front walls; a crush initiating conical portion; a fascia; and a reinforcing bumper beam.

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However, Evans (6,685,243) does not disclose a molded mat of fiber reinforced resin material; the energy absorber adapted to absorb energy during an impact of the vehicle; absorber of thermoformed or compression molded material; a low density glass mat thermoplastic composite; fiber reinforcement in a matrix of thermoplastic material; mat comprises a chopped glass fiber and a thermoplastic binder material comprising a polyester resin and polycarbonate; polyester is polyalkylene terephthalate; and polycarbonate is an polycarbonate.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the energy absorber using a molded mat of fiber reinforced resin material; the energy absorber adapted to absorb energy during an impact of the vehicle; absorber of thermoformed or compression molded material; a low density glass mat thermoplastic composite; fiber reinforcement in a matrix of thermoplastic material; mat comprises a chopped glass fiber and a thermoplastic binder material comprising a polyester resin and polycarbonate; polyester is polyalkylene terephthalate; and polycarbonate is an polycarbonate, since it has been held to be within the general skill of a worker in the art to select a known

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material on the basis of its suitability for the intended use as a matter of obvious

design choice. In re Leshin, 125 USPQ416.

Conclusion

2. The prior art made of record in attached Notice of Reference Cited (PTO-

892) and not relied upon is considered pertinent to applicant's disclosure. This art

of record shows various features similar to the applicant's invention.

3. Any inquiry concerning this communication or earlier communications should

be directed to Primary Examiner Kiran B. Patel whose telephone number is 703-

305-0254. The examiner can normally be reached on M-F from 8:00 to 5:00. The

fax phone number for the organization where this application or proceeding is

assigned is (703) 872-9306.

Kiran B. Patel, P. E

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Primary Examiner

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April 1, 2004